

United States District Court

OCT 24 2020

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Ruby Jo Davila

PRINCIPAL

Case Number:

YOB:

1991

M-20-2298-M

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October, 22, 2020 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Leslie Carolina Lopez-Mendez, a citizen and national of Honduras, Gaily Marilu Rodas-Lopez, a citizen and national of Guatemala, and Anthony Rivera-Quiroz a citizen and national Honduras, for a total of three (3) undocumented aliens, who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas, by way of motor vehicle,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On October 22, 2020 Border Patrol Agents working near Roma, Texas were advised by a Border Patrol camera operator about a gray sedan picking up possible illegal aliens near Estrella St. in Roma, Texas.

Moments later, an Agent working in the area, saw a gray sedan matching the descriptions relayed by the camera operator. Due to the relayed information, the agent activated his emergency equipment in order to perform for a vehicle stop and conduct an immigration inspection on the occupants.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA A. Castro

/s/ Jose E. Diaz

Signature of Complainant

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

Jose E. Diaz

Border Patrol Agent

Printed Name of Complainant

October 24, 2020

Date

at McAllen, Texas

City and State

J. Scott Hacker

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-20278-M**

**RE: Ruby Jo Davila**

**CONTINUATION:**

The vehicle stopped without incident and agents identified the driver as Ruby Jo Davila, a United States citizen. The three (3) passengers located in the rear passenger seat of the sedan were determined to be illegally present in the United States. All four (4) occupants inside the vehicle were placed under arrest and transported to the Rio Grande City Border Patrol station for processing.

**Principal Statement:**

Ruby Jo Davila, a United States Citizen, was advised of her Miranda Rights, stated she understood her Rights, and agreed to provide a statement.

Davila stated that the reason she was in Roma was because her aunt bought a house in that area. Davila claimed that a male subject walked out to her car with a gun and demanded a ride or for her to surrender her car. Davila stated that the subject entered the vehicle and told her to wait for two (2) females. Davila claimed that she was cooperative due to the subject having a gun.

**Material Witness Statements 1:**

Lesli Carolina Lopez-Mendez, a citizen of Guatemala, was advised of her Miranda Rights, stated she understood her Rights, and agreed to provide a statement.

Lopez claimed she coordinated her smuggling arrangements and was to pay \$2,000 to be smuggled to her final destination in New York. Mendez added that she rafted across the Rio Grande River, along with two (2) other subjects, near Roma, Texas. Lopez claimed that she was instructed to walk until she arrived to a road and wait for a sand in color vehicle. Lopez added that when they arrived to the road, a sand in color vehicle was already waiting for them. Lopez stated that they got inside the vehicle and the driver instructed them to say that she was only giving them a ride, if someone asked. Moments later they were stopped by officers. Lopez added that the driver told the officers that one of the passengers in the back had a gun. Lopez added that nobody had a gun in the vehicle.

Lopez identified Ruby Jo Davila as the driver of the vehicle that picked her up.

**Material Witness Statements 2:**

Gaily Marilu Rodas-Lopez, a citizen of Guatemala, was advised of her Miranda Rights, stated she understood her Rights, and agreed to provide a statement.

Rodas claimed her brother coordinated her smuggling arrangements and was to pay \$2,000 to be smuggled to her final destination in the United States. Rodas added that she rafted across the Rio Grande River, with two (2) other people. Rodas stated she was guided by cellular phone until she arrived to a road and was informed that a gray in color vehicle was going to pick them up. Rodas added that a gray in color vehicle was already waiting for them. Rodas stated that they got inside the vehicle and the driver instructed them to say that she was only giving them a ride, if somebody asks. Moments later, they were stopped by officers. Rodas stated that the driver told the officers that the male in the back had a gun. Rodas added that nobody had a gun in the vehicle.

Rodas identified Ruby Jo Davila as the driver of the vehicle that picked her up.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-20-2278-M**

**RE: Ruby Jo Davila**

**CONTINUATION:**

**Material Witness Statements 3:**

Anthonny Franzua Rivera-Quiroz, a citizen of Honduras, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a statement.

Rivera claimed his parents coordinated his smuggling arrangements and were to pay \$11,000 to be smuggled to his final destination in the United States. Rivera added that he rafted across the Rio Grande River, with two (2) other people. Rivera claimed that he was guided by callular phone until he arrived to a road and was informed that a brown in color vehicle was going to pick them up. Rivera added that a Chevrolet vehicle was already waiting for them. Rivera stated that when he got close to the vehicle, the driver told him it's here, get in. Rivera stated that they got inside the vehicle and the driver instructed them to say that she was only giving them a ride, if somebody asks. Rivera stated that moments later they were stopped by officers. Rivera added that the driver told the officers that he had a gun. Rivera stated that nobody had a gun in the vehicle.

Rivera identified Ruby Jo Davila as the driver of the vehicle that picked him up.